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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 ROBIN BLAKE COMBS, SR.,

12 Plaintiff,

13 v.

14 JOSEPH D. LEHMAN, *et al.*,

15 Defendants.

No. C08-5063 RJB/KLS

ORDER DENYING EXPEDITED
MOTION FOR SERVICE OF SUBPOENA
AND GRANTING MOTION FOR
EXTENSION OF DISCOVERY AND
DISPOSITIVE MOTIONS DEADLINES

16 Before the Court is Plaintiff's Motion for Expedited Order Directing Service of
17 Subpoenas by U.S. Marshal's Service. Dkt. 137. Plaintiff is advised that Plaintiff must serve
18 the two non-party deposition subpoenas in accordance with Rule 45. The Clerk of the Court shall
19 issue the subpoena, but it is up to the party to complete it before service. Fed.R.Civ.P. 45(a)(3).
20 Despite Plaintiff's *in forma pauperis* status, Plaintiff bears the burden of ensuring that service is
21 completed according to the dictates of Rule 45.
22

23 Plaintiff moves in the alternative for an extension of the discovery deadline, for the sole
24 purpose of serving the two non-party witnesses and providing the witnesses with twenty days to
25 respond. The discovery deadline is presently set for January 8, 2010. Dkt. 137, p. 2. The court
26 finds the request for a short and limited extension of the discovery deadline to be reasonable. As

1 the dispositive motions deadline currently set for February 19, 2010 is impacted, it shall also be
2 extended.

3 Accordingly, it is **ORDERED**:

- 4 1) Plaintiff's Motion for Service of Subpoenas by the U.S. Marshal's Service (Dkt. 137
5 is **DENIED**; however, **the Clerk is directed to send two blank subpoena forms to**
6 **Plaintiff**. After Plaintiff has completed the subpoena forms, he shall return them to
7 the Clerk who will sign and return them to Plaintiff.
8
- 9 2) The discovery deadline in this matter shall be extended to **February 5, 2010 for the**
10 **sole purpose of serving and deposing the two non-party witnesses**; the dispositive
11 motions deadline shall be extended to **March 19, 2010**.
- 12 3) The Clerk is directed to send copies of this Order to Plaintiff and counsel for
13 Defendants.
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15 DATED this 10th day of December, 2009.

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19 Karen L. Strombom
20 United States Magistrate Judge
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